REMARKS

I. Status of the Claims

Claims 1-28 were pending in the application prior to this response. All of the aforementioned claims have been rejected by the Examiner. Claims 1-5, 7-10, 13, 24, 27 and 28 have been amended.

II. Rejections Under 35 U.S.C. § 102(e):

Claims 1-28 stand rejected under 35 U.S.C. §102(e) as allegedly being anticipated by Bacon, et al. (U.S. 2002/0101991, hereafter, "Bacon"). More specifically, the Examiner alleges that Bacon anticipates each and every limitation of the aforementioned pending claims.

Bacon is directed to a subscriber television system which allows the identification of the individual packets from two separate MPEG transport streams that have been multiplexed together for decoding by a single external conditional access or point-of-deployment (POD) module. (Abstract)

Applicant respectfully requests reconsideration of the pending claims in view of the amendments now presented herein. Independent claim 1 has been amended for further clarification to recite:

> 1. (Currently Amended) A method, comprising:
>
> receiving at least two data streams, each of the at least two data streams comprising a plurality of packets and each packet having a header including a packet identifier,
>
> generating a multiplexed data stream in a routing component, the multiplexed data stream comprising packets from the at least two data streams arranged in an alternating order;
>
> descrambling the multiplexed data stream using a single descrambling component distinct from the routing component, wherein the routing component sequentially routes packets from the multiplexed data stream to the single descrambling component in the alternating order;
>
> receiving, in the routing component, packets from the single descrambling component, the packets being received in a descrambled form and in accordance with the alternating order so that a descrambled multiplexed data stream is formulated; and

outputting separate descrambled data streams from the routing component, the separate descrambled data streams being formed by demultiplexing the descrambled multiplexed data stream in the routing component.

Applicant submits that the method set forth in amended claim 1 requires that a single multiplexed data stream is passed to a single descrambling component.

In the Response to Arguments section of the Office Action, the Examiner asserts that "Bacon discloses that referring to fig. 3, the Multiplexed MPEG Data' signal, with the recombined data of the source associated packets, is transmitted back to the demultiplexer 227 of the host terminal 14. The demultiplexer 227 uses the Stream Select signal 430 to separate the Multiplexed MPEG Data' signal back into post-decryption tuner associated signals MPEG Data 1' and MPEG Data 2', with associated MPEG Start signals." (Office Action, page 3)

The Examiner seems to equate the descrambling device set forth in the pending claims with demultiplexer 227 as taught by Bacon. Applicant submits that demultiplexer 227 is not a descrambling device as set forth in the pending claims. Demultiplexer 227, as acknowledged by the Examiner, merely separates the multiplexed MPEG Data' signal back into MPEG Data 1' and MPEG Data 2' signals. It is well known in the art that a demultiplexer is merely a single input, multiple output switch, and performs no descrambling functions as done by the claimed descrambling device.

Furthermore, Bacon discloses that "the POD module 310 receives the Data stream signal 410...in the POD Demultiplexer 330. The demultiplexer 330 identifies the portions of the Data stream signal 410 as packets from each unique source (MPEG Data 1 or MPEG Data 2) based on the Stream Select signal 430. The source-associated packets of the Data stream signal 410 are transmitted to a source-associated decryptor, either decryptor 340 or decryptor 345, for decryption." (para. 0026 and Fig. 3) Thus, Bacon discloses two de-multiplexed data streams, and each de-multiplexed stream being routed to its associated decryptor.

By contrast, the method set forth in claim 1 requires "descrambling the multiplexed data stream using a single descrambling component distinct from the routing component, wherein the routing component sequentially routes packets from the multiplexed data stream to the single descrambling component in the alternating order."

In view of the above, independent claim 1 is asserted to be clearly distinguishable from the Bacon reference. Further, independent claims 13, 24 and 27 include at least all of the limitations discussed above with respect to claim 1, and are therefore also distinguishable.

With respect to independent claim 25, the Office Action asserts that "Bacon discloses the MPEG Start signal 420 is associated with the MPEG clocks signals of the MPEG Data 1 and MPEG Data 2 data streams....the POD module 310 receives the Data stream signal 410, the MPEG Clock signal 420, and a Stream Select signal 430 in the POD Demultiplexer 330". (Office Action, page 4)

However, independent claim 25, sets forth the following:

> 25. An apparatus, comprising:
> an input configured to receive a clock signal;
> first and second input buffers;
> a descrambling module; and
> first and second output buffers,
> wherein the apparatus is configured to clock input data into the first and second input buffers on one of the rising and falling edge of the clock signal respectively and to clock data out of the output buffers on one of the rising and falling edge of the clock signal respectively.

Applicant submits once again that Bacon provides no teaching or suggestion of "clock[ing] input data into the first and second input buffers on one of the rising and falling edge of the clock signal respectively" and "clock[ing] data out of the output buffers on one of the rising and falling edge of the clock signal respectively." Merely disclosing that "the MPEG Start signal 420 is associated with the MPEG clocks signals of the MPEG Data 1 and MPEG Data 2 data streams" does not anticipate "clock[ing] input data into the first and second input buffers on one of the rising and falling edge of the clock signal respectively" and "clock[ing] data out of the output buffers on one of the rising and falling edge of the clock signal respectively" as required by claim 25.

Fig. 4 and paragraphs 0025-0026 of Bacon, relied upon by the Examiner, provide no teaching or suggestion of a relationship between the rising or falling edges of a clock signal and the Data signal 410. By contrast, Fig. 4 and paragraph 0111 of the present Application disclose that "the rising edge of the TS clock (indicated by arrows labeled A) is used to clock in data of TS #1 from the first input buffer 201 and the falling edge (indicated by arrows B) is used

to clock in data of TS #2 from the second input buffer 202" Similarly, "the rising edge of the TS clock (indicated by arrows labeled A) is used to clock out data for TS #1 from the CI module 12' to the first output buffer 209 and the falling edge (indicated by arrows B) is used to clock out data for TS #2 from the CI module 12' to the second output buffer 210". (para. 0111)

Furthermore, it appears that the Examiner is equating the START signal 420, as taught by Bacon, to the clock signal of claim 25. However, as disclosed in Fig. 4 of Bacon, stream select signal 430 stays the same on the falling edge of START signal 420. Thus, the apparatus of Bacon would clock data of stream "11" into different buffers. Consequently, stream "11" would be torn apart.

In view of the above, independent claim 25 is asserted to be clearly distinguishable from the Bacon reference.

The balance of the claims not specifically discussed above depend from claims 1, 13, 24, 25, and 27, and as a result, are also distinguishable in view of these comments. In view of the above, Applicant respectfully requests that the 35 U.S.C. §102(e) rejections now be withdrawn.

CONCLUSION

Based on the foregoing remarks, Applicant respectfully requests reconsideration and withdrawal of the rejection of claims and allowance of this application.

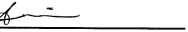
AUTHORIZATION

The Commissioner is hereby authorized to charge any additional fees which may be required for consideration of this Amendment to Deposit Account No. 13-4500, Order No. 4208-4220. A DUPLICATE OF THIS DOCUMENT IS ATTACHED.

In the event that an extension of time is required, or which may be required in addition to that requested in a petition for an extension of time, the Commissioner is requested to grant a petition for that extension of time which is required to make this response timely and is hereby authorized to charge any fee for such an extension of time or credit any overpayment for an extension of time to Deposit Account No. 13-4500, Order No. 4208-4220. A DUPLICATE OF THIS DOCUMENT IS ATTACHED.

Respectfully submitted,
MORGAN & FINNEGAN, L.L.P.

Dated: December 2, 2008

By: 

Nirav S. Amin
Registration No. 60,884
(212) 415-8700 Telephone
(212) 415-8701 Facsimile

Correspondence Address:
Morgan & Finnegan, L.L.P.
3 World Financial Center
New York, NY 10281-2101